

REMARKS

The examiner requires an election of one of the following species:

Group I — the claims readable on a travel case as shown in FIG. 1 and described in the specification;

Group II — the claims readable on a travel case as shown in FIG. 2 and described in the specification;

Group III — the claims readable on a travel case as shown in FIG. 3 and described in the specification.

Group IV — the claims readable on a travel case as shown in FIG. 4 and described in the specification.

Claim 7 is generic to all of the groups. Although the applicants' attorney asserts that the independent claim 7 is generic to all of the groups, the applicants' attorney provisionally elects claims 7 – 12 directed to Group II for prosecution in case no generic claim is finally held allowable.

According to MPEP §803, if the examiner can search and examine the application without serious burden, then he/she must examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 1 – 16 recite similar subject matter the examiner can perform a single search and examination that will cover all of the claims. Consequently, the examiner can search and examine claims 1 – 16 without serious burden, and therefore must examine these claims.

Because claim 7 recites a travel case to which an extendable support is attached, claim 1 recites a similar support attachable to a travel case, and claims 14 and 15, each recite a similar travel case to which an extendable support is attached, the examiner can perform a single search for claims 1 – 16. Furthermore, because these claims recite related subject matter, examination of these claims will involve similar analyses.

Therefore, it is only slightly more burdensome for the examiner to search and examine claims 1 – 16 than it would be to search and examine all the provisionally elected claims 7 – 12.

Consequently, because there is no serious burden on the examiner to search and examine claims 1 – 16, the restriction is improper. Therefore, the examiner must withdraw the restriction on claims 1 – 16 and examine these claims.

CONCLUSION

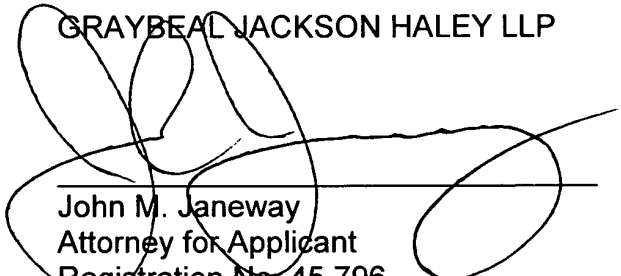
The applicant's attorney respectfully requests that the examiner withdraw the restriction requirement on claims 1 – 16 and examine these claims.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the applicant's attorney, John M. Janeway, at (425) 455-5575.

DATED this 2nd day of November 2006.

Respectfully submitted,

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